HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

Single Bench: Hon'ble Shri S.R. Nayak, CJ

Writ Petition No.5635 OF 2005

PETITIONER

Ram Prasad Yadav,
S/o Jhadu Ram Yadav
Aged about 43 years, R/o Yadav
Mohalla P.O. & Vill. Chandrapur,
Tahsil Dabhara, District Janjgir
Champa (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh
Through : Chief Secretary
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)
2. The Collector & Registrar of Public
Trusts Janjgir Champa (C.G.)
3. Sub-Divisional Magistrate &
Registrar Public Trustee Sakti,
Distt. Janjgir Champa (C.G.)
4. Shri Gopalji Mahaprabhu Avam
Chandrahasini Devi Mandir
Sarvajanik Nyas Chandrapur,
Tahsil Dabhara District Janjgir
Champa (C.G.), Through : its
Managing Trustee

Present:

Mr.M.L. Pastore,learned counsel for the petitioner.

Mr. Parag Kotecha, learned Panel Lawyer for the State.

ORAL ORDER
(Passed on 5th of December 2005)

Although in this writ petition the petitioner has assailed his removal from the Board of Trustees of the fourth respondent, namely, Shri Gopalji Mahaprabhu Avam Chandrahasini Devi Mandir Sarvajanik Nyas Chandrapur, Tahsil Dabhara, District Janjgir Champa, at the time of hearing, learned counsel for the petitioner would restrict the relief to issuance of a direction to the second respondent to consider and dispose

of the application filed by the petitioner on 12-09-2005 against the action of the fourth respondent in removing the petitioner as Trustee of the Board of Trustees. It is stated that the fourth respondent has arbitrarily and without notice has removed the petitioner from the Board of Trustees on 11-06-2005 and being aggrieved by the said action, the petitioner submitted an application to the second respondent, namely, the Collector & Registrar of Public Trusts Janjgir Champa and the second respondent has not yet disposed of that application.

(2) In that view of the matter, I dispose of this writ petition directing the second respondent to dispose of the application dated 12-09-2005 filed under Sections 26 and 27 of the M.P. Public Trust Act after notice to the petitioner as well as the fourth respondent and after giving them an opportunity of being heard. There is no order as to costs.

Sd/-
Chief Justice